

REMARKS

Currently, claims 50-70 are pending in the present application of which claim 51 and 67-69 have been withdrawn and claim 70 has been added through this reply.

The Examiner has required election in the present application between:

Group I, claims 50, 52-66, drawn to a species of device or method for contrast enhancement comprising a focusing optical device, a diaphragm, and a light disposal element;

Group II, claim 51, drawn to a species of device or method for contrast enhancement comprising a light scattering device which includes a diverging lens and/or mirror and a light disposal element; and

Group III, claims 67-69, drawn to a species of device or method for contrast enhancement in which a dark background is created by absorbing and/or deflecting incident light.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, Claims 50 and 52-66. Newly presented method claim 70 read on this species because it corresponds to the device claim 50. Thus, the Examiner is requested to examine claim 70 with Group I.

For a proper Election/Restriction Requirement, the Examiner must demonstrate that 1) the claims are either independent or distinct, and 2) a serious burden will be on the Examiner to examine all claims. In the absence of any statements addressing 1) and 2), the Election/Restriction Requirement is improper and therefore must be withdrawn. Applicants respectfully submit that the Examiner did not even alleged, let alone demonstrated, that a serious burden will be on the Examiner to examine all claims. Accordingly, Applicants respectfully request that the Examiner withdraw the Election/Restriction Requirement.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali Imam, Registration No 58,755

at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☒ Attached is a Petition for Extension of Time.
- ☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: December 6, 2006

Respectfully submitted,

By 

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